

**Bayer HealthCare
Pharmaceuticals****RECEIVED
CENTRAL FAX CENTER****FEB 01 2006**

To Commissioner for Patents
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Fax (571) 273-8300 Pages 20

Date February 1, 2006

From Susan M. Pellegrino

Fax (203) 812-6459 Tel. (203) 812-6450

Re U.S. Patent Application Serial No.: 10/728,180

Bayer Pharmaceuticals
Corporation

400 Morgan Lane
West Haven, CT 06516

Phone: (203) 812-6450
Fax: (203) 812-6459

E-mail:

susan.pellegrino.b@bayer.com

For U.S. Patent Application Serial No. 10/728,180

- 1) Reply to Office Action mailed on November 22, 2005
- 2) Certificate of Transmission under 37 CFR 1.8
- 3) Fax Cover Sheet

If you have any problems with the attached facsimile call (203) 812-6450.

THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL TO WHOM IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL, AND EXEMPT FROM DISCLOSURE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR AN EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT THE PRIVILEGED OR CONFIDENTIAL NATURE OF THIS MESSAGE IS NOT WAIVED BY INADVERTENT DISCLOSURE. ANY DISSEMINATION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US BY MAIL. THANK YOU.

PTO/SB/97 (05-03)

Approved for use through 04/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office

on February 1, 2006
Date

Susan M. Pellegrino
Signature

Susan M. Pellegrino, Reg. No. 48,972

Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

For U.S. Patent Application Serial No. 10/728,180

- 1) Reply to Office Action mailed on November 22, 2005
- 2) Certificate of Transmission under 37 CFR 1.8
- 3) Fax Cover Sheet

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Attorney Docket No. LcA 34 125C1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED
CENTRAL FAX CENTER

FEB 01 2006

In re Patent Application of Ulrich Niewöhner, et al.

Serial No.: 10/728,180

Group Art Unit: 1624

Filed: December 4, 2003

Examiner: Kahsay Habte

For: Triazolotriazinones and the Use Thereof

CERTIFICATION OF MAILING UNDER 37 C.F.R. 1.8(a)

I hereby certify that this correspondence and any papers referred to as attached are being facsimile transmitted to the U.S. Patent and Trademark Office at (571) 273-8300.

Date: February 1, 2006


Susan M. Pellegrino

REPLY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the Office Action mailed November 22, 2005 (Paper No. 11182005), Applicants respectfully request reconsideration and reexamination of the present application in view of the following remarks.

REMARKS

Applicants respectfully request reconsideration and reexamination of the present application in light of the remarks below.

Claims 15-18 and 20-23 are pending in this application. Claims 1-14 and 19 have been cancelled by preliminary amendment and claims 21-23 have been added by preliminary amendment (submitted December 4, 2003).

The present application is a continuation of U.S. Patent Application Serial No. 10/149,921. Applications submitted a Preliminary Amendment at the time of filing the present application wherein claims 1-14 and 19 were cancelled, claims 15-18 and 20 were amended, and new claims 21-23 were added. A copy of the Preliminary Amendment has been provided with this reply. Applicants would like to note that it appears Examiner Kahsay examined claims 1-20 of the original parent patent filing and did